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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11                  EVANS JAMES BOYD III,

12                  Plaintiff,

13                  v.

14                  THE DEPARTMENT OF CORRECTIONS  
15                  *et al.*,

16                  Defendants.

17                  Case No. C05-5394RJB

18                  ORDER GRANTING  
19                  APPLICATION TO PROCEED *IN FORMA PAUPERIS* AND  
20                  DIRECTING INSTITUTION TO  
21                  CALCULATE, COLLECT, AND  
22                  FORWARD PAYMENTS

23                  The Court, having reviewed plaintiff's application to proceed in forma pauperis (Doc. 1), does  
24                  hereby find and ORDER.

25                  (1) Plaintiff's declaration indicates he is unable to afford the court's filing fee or give security  
26                  therefor. Accordingly, plaintiff's application to proceed as a pauper is **GRANTED. As set forth below,**  
27                  **an initial partial filing fee will be collected, and plaintiff is required to make monthly payments of**  
28                  **20 percent of the preceding months income credited to his/her account until the full amount of the**  
                **filing fee is satisfied.**

29                  (2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma*  
30                  *pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial  
31                  filing fee equal to 20 percent of greater of -- the average monthly deposits to the prisoner's account or the  
32                  average monthly balance in the prisoner's account for the 6-month period immediately preceding the date  
33                  of this Order. The initial partial filing fee should be forwarded to the court clerk as soon as practicable.

1       Subsequently, if the prisoner's account exceeds \$10.00, each month the agency is directed to  
2 collect and forward payments equal to 20 percent of the prisoner's preceding month's income credited to  
3 the prisoner's account. In the event that the monthly payment would reduce the prisoner's account below  
4 \$10.00, the agency should collect and forward only that amount which would reduce the prisoner's  
5 account to the \$10.00 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee  
6 described above. Finally, the monthly payments should be collected and forwarded to the court until the  
7 entire filing fee (\$250.00) for this matter has been paid.

8             (3) The Clerk is directed to send plaintiff a copy of this Order and the General Order, and a copy  
9 of this Order along with a copy of plaintiff's Acknowledgment and Authorization portion of the IFP  
10 application to the attention of the inmate account manager (IFP account manager) at the Washington State  
11 Department of Corrections.

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13             DATED this 13<sup>th</sup> day of July, 2005.

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15                     */S/ J. Kelley Arnold*  
16                     J. Kelley Arnold  
17                     United States Magistrate Judge